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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/694,048

10/28/2003

Kazuma Sugahara

2003-1539

3870

513 7590 01/03/2007  
WENDEROTH, LIND & PONACK, L.L.P.  
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WASHINGTON, DC 20006-1021

EXAMINER

BEAUCHAINE, MARK J

ART UNIT

PAPER NUMBER

3653

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

01/03/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No:	Applicant(s)	
	10/694,048	SUGAHARA ET AL.	
	Examiner	Art Unit	
	Mark J. Beauchaine	3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 12-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f):
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 14-16, 19 and 22-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "always downwardly pressing" (claim 14, line 4; claim 19, line 4; and claim 22, line 16) is ambiguous because it is unclear whether the term is limited to the operation of the apparatus.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 12, 13, 17, 18, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patent Number 5,011,457 by Takatani et al ("Takatani") in view of Patent Number 5,389,034 by Rumbach ("Rumbach") in view of Patent Number

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5,142,847 by Watanabe et al ("Watanabe"). The coin stacking apparatus disclosed by Takatani comprises coin passage 15, conveying mechanism 21 and 23, coin stacking section 60 corresponding to an end portion of said coin passage, and coin feeding member 24 (see Figures 15E and 15F). Said coin feeding member sequentially stacks coins in said coin stacking section substantially vertically upwardly in a stacking direction in a direction that generally corresponds to a thickness direction to the coins.

Said feeding member comprises contact portion 24A protruding into said coin stacking section, and rotates with said contact portion contacting a conveyed coin so as to cause said conveyed coin to pass over said contact portion. Said feeding member further comprises a toothed roller having circumferentially arranged toothed portions as said contact portion. Said toothed portions include a push surface 24A and a lifting surface 24B. Furthermore, said rotation of said feeding member causes the trailing edge of said conveyed coin to be displaced in the stacking direction so that the leading edge of a subsequently conveyed coin is capable of entering between the conveyed coin and said contact portion.

Takatani fails to disclose an adjustable stopping member. Rumbach teaches a coin stacking apparatus comprising stopping member 108 (see Figure 2) having a stop surface. The distance between said stop surface and the axis of rotation of coin feeding member 204 is adjustable in accordance with the diameter of the coins for the purpose of permitting a single apparatus to process various denominations of coins. It would have been obvious to one of ordinary skill in the art at the time the invention was made

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to incorporate the stopping member of Rumbach into the apparatus of Takatani for the purpose of permitting a single apparatus to process various denominations of coins.

Takatani fails to disclose coin feeding member 24 as being adjustable.

Watanabe teaches a coin stacking apparatus comprising coin feeding member 31 having a position relative to coin passage 22 that is simultaneously adjustable in both longitudinal and lateral directions of said coin passage in accordance with the diameter of the coins (see Figure 5) for the purpose of permitting a single apparatus to process various coin denominations. Said feeding member has a cylindrical friction surface as a contact portion. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the adjustable coin feeding member of Watanabe into the apparatus of Takatani for the purpose of permitting a single apparatus to process various coin denominations.

Claims 22 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takatani in view of Patent Number 4,235,061 by Watanabe et al ("Watanabe-2"). The coin stacking apparatus disclosed by Takatani comprises coin passage 15, conveying mechanism 21 and 23, coin stacking section 60 corresponding to an end portion of said coin passage, and coin feeding member 24 (see Figures 15E and 15F). Said coin feeding member sequentially stacks coins in said coin stacking section substantially vertically upwardly in a stacking direction in a direction that generally corresponds to a thickness direction to the coins.

Said feeding member comprises contact portion 24A protruding into said coin stacking section, and rotates with said contact portion contacting a conveyed coin so as to cause said conveyed coin to pass over said contact portion. Said feeding member further comprises a toothed roller having circumferentially arranged toothed portions as said contact portion. Said toothed portions include a push surface 24A and a lifting surface 24B. Furthermore, said rotation of said feeding member causes the trailing edge of said conveyed coin to be displaced in the stacking direction so that the leading edge of a subsequently conveyed coin is capable of entering between the conveyed coin and said contact portion.

Takatani fails to disclose a coin presser mechanism that presses an upper surface of an uppermost stacked coin downwardly by dead weight. Watanabe-2 teaches a coin stacking apparatus comprising coin presser mechanism 12, 14, and 19 (see Figure 2) that presses an upper surface of an uppermost stacked coin downwardly by dead weight 12, 14 and 19 for the purpose of preventing stacked coins from becoming unaligned during the stacking operation. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the dead weight presser mechanism of Watanabe into the apparatus of Takatani for the purpose of preventing stacked coins from becoming unaligned during the stacking process.

Claims 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takatani in view of Watanabe-2 as applied to claim 22 above, and further in view of Watanabe. Takatani/Watanabe-2 fails to disclose said coin feeding member as being

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adjustable. Watanabe teaches a coin stacking apparatus comprising coin feeding member 31 (see Figure 5) having a cylindrical friction surface as a contact portion and a position in respect to coin passage 22 that is adjustable in accordance with the diameter of a coin for the purpose of permitting a single apparatus to process a variety of coin denominations. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the coin feeding member of Watanabe into the apparatus of Takatani/Watanabe-2 for the purpose of permitting a single apparatus to process a variety of coin denominations.

### ***Allowable Subject Matter***

Claims 14 –16, 19 and 23-26 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

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**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark J. Beauchaine whose telephone number is (571)272-6934. The examiner can normally be reached on 8:00AM through 5:00PM Mondays through Thursdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick H. Mackey can be reached on (571)272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

mjb

  
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